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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: DeOrnellas, et al.
Appln. No.: 10/045,318
Confirm. No.: 3120
Filed: November 9, 2001
Title: METHOD FOR USING A HARD MASK FOR
CRITICAL DIMENSION GROWTH
CONTAINMENT

PATENT APPLICATION

Art Unit: 1765
Examiner: Lynette T. Umez Eronini

Customer No. 23910

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 19, 2003.

Thomas Ward (Attorney Signature)
Thomas A. Ward, Reg. 35,732
Signature Date: December 19, 2003

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.

— The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as

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Attorney Docket No.: TEGL-01082US3
taw/tegl/1082US3/1083us3.102

104.001:103003

still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

☒ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

This statement should be considered because:

☒ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

☐ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).

-- OR --

☒ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

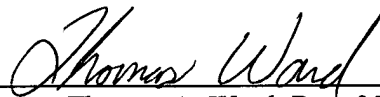
☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLP

Date: 12/19/03

By: _____



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Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number TEGL-01084US3		Serial/Patent Number 10/045,318	
<div style="text-align: center;"> Information Disclosure Statement BY APPLICANT <i>(Use several sheets if necessary)</i> </div>				Applicant/Patent Owner DeOrnellas		Filing/Issue Date November 9, 2001	
				Group Art Unit 1765			
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
		4,390,394	June 28, 1983	Mathuni et al.	156	643	June 28, 1983
		5,515,984	May 14, 1996	Yokoyama, et al.	216	41	Jan 2, 1995
Examiner				Date Considered			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							
*1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.							
*2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.							